

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
 Mark P. Ressler  
 Ronald R. Rossi  
 Adina G. Storch  
 1633 Broadway  
 New York, New York 10019  
 Telephone: (212) 506-1700  
 Facsimile: (212) 506-1800

Attorneys for Defendant and Counterclaim/  
 Third-Party Plaintiff AAI Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NATIONAL UNION FIRE INSURANCE )  
 COMPANY OF PITTSBURGH, PENNSYLVANIA )  
 and AMERICAN HOME ASSURANCE COMPANY, )

Plaintiffs,

v.

ELECTRIC TRANSIT INCORPORATED, )  
 SKODA, a.s., SKODA OSTROV, s.r.o., )  
 AAI CORPORATION and CZECH EXPORT BANK, )

Defendants.

AAI CORPORATION,

Counterclaim Plaintiff,

v.

NATIONAL UNION FIRE INSURANCE )  
 COMPANY OF PITTSBURGH, PENNSYLVANIA, )  
 AMERICAN HOME ASSURANCE COMPANY, )

Counterclaim Defendants.

AAI CORPORATION,

Third-Party Plaintiff,

v.

AMERICAN INTERNATIONAL GROUP, INC., )  
 Third-Party Defendant. )

Case No. C 04-3435 (JSW)

**FILED VIA "ECF" FILING  
 SYSTEM**

**STIPULATION TO  
 CONTINUE THE  
 SEPTEMBER 14, 2007  
 HEARING DATE AND  
 [PROPOSED] ORDER**

Hearing date: November 2, 2007  
 Time: 9:00 AM  
 Courtroom: 2  
 Hon. Jeffrey S. White

Stipulation to Continue the September 14, 2007 Hearing Date and [Proposed] Order, Case No.  
 C-04-3435 (JSW)

1 WHEREAS, the Court's August 1, 2007 Order Granting Motion for Leave to File  
2 Motion for Reconsideration (the "Order") set September 14, 2007 as the date for the hearing on  
3 AIG's Motion for Reconsideration, AIG's Motion for Leave to File Amended Answer, and  
4 AIG's Motion to Allow Amendment of Expert's Report (the "Hearing Date");

5 WHEREAS, the Order further states that a "further case management conference shall  
6 follow the hearing on all three motions to determine an expedited schedule to bring this case to  
7 resolution";

8 WHEREAS, Defendant, Counterclaimant and Third-Party Plaintiff, AAI Corporation,  
9 requests a continuance of the Hearing Date as September 14, 2007 falls during the Jewish  
10 holiday of Rosh Hashanah, a holiday observed by counsel for the respective parties, and thereby  
11 evidencing good cause for continuing the date and time for the September 14, 2007 hearing and  
12 case management conference;  
13

14 WHEREAS, Plaintiffs and Counterclaim defendants National Union Fire Insurance  
15 Company of Pittsburgh, Pennsylvania and American Home Assurance Company, and Third-  
16 Party Defendant, American International Group, Inc. (collectively "AIG") consent to the  
17 requested continuance;  
18

19 WHEREAS, the requested continuance will have no effect on any pretrial or trial dates  
20 as any such dates were vacated in the Court's Order and have not been reset;

21 WHEREAS, the parties are not seeking herein to change the Motion for Reconsideration  
22 briefing schedule set by the Court in its Order or any other dates ordered by the Court;  
23

24 WHEREAS, no other modification to the Motion for Reconsideration schedule has  
25 previously been sought by the parties; and

26 WHEREAS, November 2, 2007 is the first available hearing date after September 14,  
27 2007 as September 21, 2007, October 12, 2007, October 19, 2007 and October 26, 2007 are

28 STIPULATION TO CONTINUE THE SEPTEMBER 14, 2007 HEARING DATE AND ~~[PROPOSED]~~ ORDER,  
CASE NO. C-04-3435 (JSW)

only open to those cases ending in specified terminal digits, of which this case is not included, and the Court has indicated that it will not be available September 24 through and including October 8, 2007.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties that:

1. The hearing on AIG's Motion for Reconsideration, AIG's Motion for Leave to File Amended Answer, and AIG's Motion to Allow Amendment of Expert's Report and the case management conference shall be continued to November 2, 2007. Alternatively, and in light of the Court's stated desire to set an "expedited schedule" to bring this case to resolution, the parties are available on any date the Court might be available in October, should the Court prefer to hear the pending motions and conduct the case management conference prior to its next available hearing date (now listed as November 2, 2007).

Dated: August 21, 2007

/s/ Mark P. Ressler  
Mark P. Ressler  
Kasowitz, Benson, Torres & Friedman LLP  
1633 Broadway  
New York, New York 10019  
Telephone: (212) 506-1752  
Counsel for AAI Corporation

/s/ David C. Veis  
David C. Veis  
Robins, Kaplan, Miller & Ciresi LLP  
2049 Century Park East, Suite 3400  
Los Angeles, California 90067  
Telephone: (310) 552-0130  
Counsel for National Union Fire Insurance Company, American Home Assurance Company, and American International Group, Inc.

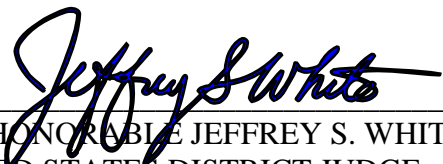
STIPULATION TO CONTINUE THE SEPTEMBER 14, 2007 HEARING DATE AND ~~PROPOSED~~ ORDER,  
CASE NO. C-04-3435 (JSW)

**SCHEDULING ORDER**

The Joint Stipulation to Continue the September 14, 2007 Hearing Date and [Proposed] Order is hereby adopted by the Court and the parties are ordered to comply with this Order.

In addition, the Court orders the following: The hearing date is CONTINUED to  
November 16, 2007 at 9:00 a.m.

Date: August 22, 2007

  
\_\_\_\_\_  
THE HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

STIPULATION TO CONTINUE THE SEPTEMBER 14, 2007 HEARING DATE AND [PROPOSED] ORDER,  
CASE No. C-04-3435 (JSW)